

WILLIAM GREGORY—HEIRS OF.

[To accompany bill H. R. No. 85.]

MARCH 5, 1840.

Mr. CRAIG from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to whom was referred the petition of Edmond Christian and Nancy Hilliard, have had the same under consideration, and report :

That the petitioners represent that they are the only heirs of William H. Gregory, who was the son and only child of William Gregory, who was a captain in the Virginia continental line of the army of the Revolution, and that he died in that service; and that the seven years' half pay to which the said William H. Gregory became entitled on account of the death of his father, has never been paid. They, therefore, pray Congress to pass an act directing the seven years' half pay, aforesaid, with interest, to be paid to them.

The evidence upon which the claim is grounded, is as follows :

First, A certificate of the county court of Charles City county, in the State of Virginia, in the following words and figures, to wit: "At a court of monthly session, begun and held for Charles City county, at the courthouse, on Thursday, the 15th of September, 1836: Ordered, that it be certified that it is proven to the satisfaction of the court, that Captain William Gregory, of the war of the Revolution, died in the year 1776, leaving an only child, a son, William H. Gregory, to whom he bequeathed his estate; that the said William H. Gregory died in the year 1829, without issue, and bequeathed his personal estate to his wife, Frances, and Edmond Christian, his half brother; that Edmond Christian and Nancy Hilliard, who was Nancy Christian, of New Kent county, are the half brother and sister of the said William H. Gregory, deceased, and are the only heirs to any and all the property not specified in the will of the said William H. Gregory."

Second: Extracts from the journal of the committee of safety, in the State of Virginia, certified to be correctly copied by James E. Heath, auditor of public accounts, which extracts are as follows, viz :

"FRIDAY, March 8, 1776.

"A warrant to Captain William Gregory, paid £20 10, for his recruiting expenses, and balance of county money in Charles City county.

"Ordered, That the commanding officer at this place direct the march of Captain Gibson's rifle company, also, of either Captain Gregory's com-

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pany, from Charles City, or Captain James Johnson's, from Lunenburg, as upon a review shall appear to be best fitted to reinforce the troops stationed at Suffolk, as soon as possible."

"SUNDAY, *March 10, 1776.*

"Captain Gregory, and Lieutenants Dunn and Gregory, and Ensign Bell, of the sixth battalion, attended, received their commissions, took the oath prescribed by convention, and subscribed the articles of war."

Third: A letter from the Hon. John Forsyth, Secretary of State, in answer to one from Francis A. Dickens, Esq., of Washington city, from which it appears that the name of William Gregory is upon a certified copy of a list of officers of the Virginia service among the papers of General Washington, on file in the State Department, as a captain in the sixth Virginia regiment, with the words "Captain Gregory dead" written opposite to it.

Fourth: A certificate of the auditor of public accounts in the Commonwealth of Virginia shows that it does not appear from the records of his office, that William Gregory, a captain of the army of the Revolution in the continental line, his heirs or representatives, ever received the seven years' half pay allowed by act of assembly, passed October, 1780, or under any other authority.

Fifth: By a letter of Peter Hagner, Third Auditor, it appears that there is nothing on the records of his office to show that William Gregory was a captain of the sixth Virginia regiment of the army of the Revolution, and, consequently, there is nothing to indicate the payment of the seven years' half pay to his widow or any other person.

Upon the whole evidence, the committee decide that the seven years' half pay is due from the Government, on account of the death of Captain William Gregory, in the continental service; and accordingly, without deciding the question to whom payment should be made, they report a bill, directing payment to be made to those who are entitled to receive it, under the resolution of 24th August, 1780.